

REMARKS

In the Final Office Action, the Examiner rejected claims 1-28. By this Response, Applicants amend claims 1, 6, and 21 to further clarify the claimed subject matter. Additionally, Applicants add new claims 29-33. Upon entry of the amendments, claims 1-33 will remain pending in the present patent application. Reconsideration of the rejections and allowance of all pending claims are respectfully requested.

As a preliminary matter, Applicants would like to thank the Examiner for his participation in a telephonic interview with the undersigned attorney on February 4, 2005. In this interview, the claims and the prior art of record were discussed. Although Applicants' representative and the Examiner generally explored potential claim amendments, the participants did not reach any final agreement.

Rejection Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claim 6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Particularly, the Examiner noted insufficient antecedent basis for the first instance of "the electronic device" as recited in the instant claim. As indicated above, Applicants have amended claim 6 to depend from claim 5, which provides the necessary antecedent basis for the recitation. In light of this amendment, Applicants respectfully request withdrawal of the rejection.

Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-26 under 35 U.S.C. § 102(b) as anticipated by Braden et al. (U.S. Patent No. 4,146,795). Applicants respectfully traverse this rejection.

A *prima facie* case of anticipation under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice, or device. *In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Therefore, if the claims recite even one feature not found in the cited reference, the reference cannot be said to anticipate the claimed subject matter.

Omitted Features of Independent Claim 1

Turning now to the present claims, the Braden et al. reference fails to disclose each element of independent claim 1. For instance, independent claim 1 recites, among other things, “a flexible cable harness adapted to support at least one electrical cable, wherein the harness *is not adapted to conduct electricity*” (emphasis added). Claim 1 also recites “a first *support* member ... and a second *support* member” (emphasis added) securable to the cable harness. As discussed below, the Braden et al. reference fails to disclose such elements. Consequently, the Braden et al. reference fails to anticipate independent claim 1 and its dependent claims.

The Braden et al. reference is directed to a cable control mechanism for elongated flexible cables. Col. 1, lines 8-10. Particularly, the Braden et al. reference discloses an X-ray scanner A, which includes a rotate frame 64 and traverse frame 78, and a cable control mechanism C. Col. 4, lines 30-36; col. 5, lines 10-32; *see* FIGS. 1 and 2. The control mechanism C of the Braden et al. apparatus includes a plurality of tensioning mechanisms that provide a *downward* biasing force to cable rows H1, H2, and H3, which provide power to the X-ray system, to prevent these cables from becoming misaligned between various moving components of the system, such as rotate frame 64 and traverse frame 78. *See, e.g.*, col. 7, lines 36-48; col. 8, lines 60-68; FIG. 2. One such tensioning mechanism is biasing means 124 that includes a spring reel arrangement 180, an idler

sprocket 184, and a roller chain 186, which collectively provide a *downward* biasing pressure against a wheel assembly 122 in contact with cable rows H1, H2, and H3. Col. 8, lines 50-53; *see also* col. 7, lines 36-43; FIG. 4. The Braden et al. apparatus also includes a cable 222 and spring wheel 224, which similarly provide a *downward* tensile force to the cable rows H1, H2, and H3. Col. 8, lines 60-68; FIG. 2.

First, upon analysis of the Braden et al. reference, it is clear that the reference does not teach or suggest “a flexible cable harness adapted to support at least one electrical cable, wherein the harness *is not adapted to conduct electricity*” (emphasis added). In the Office Action, the Examiner noted that Braden et al. refer to the bundle of cable rows H1, H2, and H3, as a “harness.” *See, e.g.*, col. 6, lines 21-28. However, Applicants respectfully note that, according to the Examiner’s position, the Braden et al. “harness” is simply the collection of cables in the cable rows H1, H2, and H3. In other words, the Braden et al. “harness” contains no distinct structure independent from these cables. Even if the group of cables taught by Braden et al. could be *arguendo* compared to a harness, it is clear that these cables transmit electrical power to render the radiation source and detector of the system operative. Col. 6, lines 21-28. Thus, these cable rows that conduct electricity cannot be reasonably equated with “a flexible cable harness ... *not adapted to conduct electricity*” (emphasis added).

Second, in the Office Action, the Examiner equates the cable 222 and the roller chain 186 of the Braden et al. system to the “first *support* member” and the “second *support* member,” respectively, recited in claim 1. However, the Braden et al. reference clearly indicates that *both* the cable 222 and the roller chain 186 apply *downward* biasing forces to the cable rows H1, H2, and H3. *See* col. 8, lines 60-68; FIG. 2; *see also* col. 9, lines 44-47 (discussing biasing means 124 comprising roller chain 186). Because the cable 222 and the roller chain 186 are exerting a *downward* biasing force, it cannot be

reasonably asserted that these two components are *supporting* the cable rows H1, H2, and H3. Consequently, the cable 222 and the roller chain 186 cannot be logically equated with the first and second *support* members recited by independent claim 1.

As indicated above, the Braden et al. reference fails to disclose every element of independent claim 1. As a result, the Braden et al. reference cannot support a *prima facie* case of anticipation of claim 1. Accordingly, Applicants respectfully assert that independent claim 1, and each of its dependent claims 2-10, is patentable over the Braden et al. reference.

Omitted Features of Independent Claims 11, 16, and 21

Similarly, the Braden et al. reference also fails to disclose all of the features recited in independent claims 11, 16, or 21. For example, as noted above, the cable 222 of the Braden et al. reference exerts a *downward* force on the cable rows H1, H2, and H3, and thus, simply does not *support* these cable rows. Consequently, the cable 222 cannot represent “means for supporting the harness *from* a first flexible member,” (emphasis added) as recited in claim 11. In addition, as also noted above, the Braden et al. reference discloses that the roller chain 186 also exerts a *downward* force on the cable rows H1, H2, and H3, via the wheel assembly 122. Thus, the roller chain 186 cannot represent “means for supporting the harness *from* a second flexible member,” (emphasis added) as also recited in independent claim 11. Because it fails to disclose each element recited in the instant claim, the Braden et al. reference cannot anticipate independent claim 11 or its dependent claims 12-15.

Furthermore, because the Braden et al. reference teaches that both the cable 222 and the roller chain 186 exert downward biasing forces on the cable rows H1, H2, and H3, and do not support the cable rows, the Braden et al. reference does not disclose “coupling a first flexible member to the harness to enable the first flexible member to

support the harness *therefrom*” or “coupling a second flexible member to the harness to enable the second flexible member to support the harness *therefrom*,” (emphasis added) as recited in independent claim 16. Accordingly, independent claim 16, and each of its dependent claims 17-20, is believed patentable over the Braden et al. reference.

Finally, independent claim 21 recites “a first support member coupled to the device and securable to the harness *to suspend* and *to support* a first portion of the at least one cable” (emphasis added). As noted above, neither the cable 222 nor the roller chain 186 are secured to the cable rows H1, H2, and H3 to suspend or to support the cables; they are merely secured to the cable rows to apply a downward biasing force in order to prevent the cable rows from interfering with operation of the Braden et al. system. As such, neither the cable 222 nor the roller chain 186 constitutes a “first support member ... securable to the harness *to suspend* and *to support* a first portion of the at least one cable” (emphasis added). Thus, the Braden et al. reference does not disclose the recited features of independent claim 21 and, therefore, cannot support a *prima facie* case of anticipation of either independent claim 21 or claims 22-26 depending therefrom.

For these reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 and allowance of claims 1-26.

Rejection Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 27 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Braden et al. in view of Schmidt (U.S. Patent No. 5,467,649). Applicants respectfully traverse this rejection.

Claims 27 and 28 depend from independent claim 21. As discussed above, the Braden et al. reference fails to disclose all of the recited features of claim 21. Furthermore, the Schmidt reference, which is directed to a string damper for a guitar, fails

to obviate the deficiencies of the Braden et al. reference. Claims 27 and 28 are, therefore, allowable on the basis of their dependency from an allowable independent claim, as well as by virtue of the subject matter separately recited by these dependent claims.

For these reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103 and allowance of claims 27 and 28.

New Claims

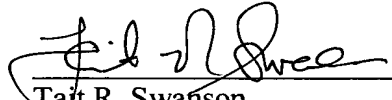
As indicated above, Applicants have added new claims 29-33. These claims do not add new matter and are fully supported by the specification. These claims are believed allowable for their dependency from an allowable independent claim, as well as by virtue of the subject matter separately recited by these dependent claims. Accordingly, Applicants respectfully request allowance of dependent claims 29-33.

Conclusion

In view of the above remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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